

## **COMMISSION MINUTES – MONDAY, MARCH 2, 2009**

At 8:30 A.M., all members of the Pottawatomie County Commission met for a regular session in the County Commission Room. Present were Stan Hartwich, chairman; Corwin Seamans, vice chairman; and Pat Weixelman, member.

Corwin Seamans moved and Pat Weixelman seconded to adopt the agenda for today's meeting. Motion carried 3 to 0.

Corwin Seamans moved and Pat Weixelman seconded to approve the minutes for February 23, 2009 as amended. Motion carried 3 to 0.

Corwin Seamans moved and Pat Weixelman seconded to allocate \$400 from the Special Alcohol Fund to Rock Creek High School for their After Prom Party. Motion carried 3 to 0.

John Watt, County Counselor, met with the Commissioners to update them on projects he is working on. Watt stated the Commission should make a decision on purchase of the Woodruff property in the very near future. This property is to be used as the site for a new building for Fire District #10. The Commission has concerns of the soil type and existing fences. Bruce Brazzle, county fire supervisor stated the agreement was to purchase 3 acres rather than 2½ to allow for the area where a pipeline is located and also provide enough land for the septic system. Brazzle stated he has not heard the results of the soil tests on the property. The Commission will act on the purchase agreement when more information is available to them.

Leu Lowrey, public works director, met with the Commission to update them on projects in that department. Leu stated the project for painting, labor, and repair on the extension building and county office building is \$16,125. Costs for the extension building are \$5,725 and \$8,400 for the office building. Labor is bid at \$30/hour. 40 hours for the project was considered totaling \$1200. Leu recommended getting started within the next 2 weeks. Corwin Seamans moved to approve the contract for the bid submitted by Alexander Painting Inc for painting of the extension and county office buildings and to do the necessary repairs. Total contract amount is \$15,325. Motion carried 3 to 0. Leu discussed the need to resubmit on new State forms requests for allocations of the State's Stimulus monies for projects in the County. Stimulus monies for the 17 county district will be \$11 million which is substantially less than originally announced. Leu stated there are three projects he feels should be submitted for

assistance. The deck repair for the bridge on Dyer Road will be shared between Riley and Pottawatomie Counties. Leu stated this project could be an 80/20 match with the 20% being divided between Riley and Pottawatomie Counties equally. 20% of this project would be approximately \$400,000. Another project to apply for would be the Balderson Blvd improvement with the City of Wamego. This request would be for a 50/50 assistance. Wamego City and Pottawatomie County would pay 50% of the project. It is anticipated the 50% would be split equally. This project is listed at \$1,617,899. The third application would be for a bridge project in the northeast portion of the County. This would be an 80/20 match. Without funding from the stimulus monies, this project would be on county's 5 year plan. Robert Reece, county administrator asked about a pedestrian path on the bridge on Dyer Road. Leu stated he would check into that. Pat Weixelman expressed concerns of the amount the County is requesting for the Balderson Blvd project. He suggested perhaps instead of 50%, they should request 33% or an amount that may be more appealing to the State when they make their decisions. Leu will visit with Riley County and the City of Wamego and return next Monday for action on these requests. Next Monday afternoon the Commission will go to St. Marys with Leu to view a drainage issue on DeDonder property. Stan Hartwich will contact DeDonder.

Scott Schwinn, county sanitarian, met with the Commissioners to update them on activities in his department. Scott reported on various training and recertification meetings he had attended. There is concern of the septic systems in the Lake Elbo area. This area has homes on small lots with individual systems. The area should consider the possibility of being connected to a public treatment system according to Schwinn. Scott stated the Conservation District has received a \$5,000 grant to plug abandoned wells. There are 10 in the Onaga area to be considered.

Gregg Webster, zoning administrator, met with the Commissioners to update them on activities in that department. He visited with the Commission about agenda items for the work session the Commissioners have scheduled with the Planning Commission. Gregg discussed with the Commission the member list and terms of appointment for the Planning Commission. Corwin Seamans moved and Pat Weixelman seconded to appoint Dennis Schwant representing the Conservation District and David Stauffer representing Rural Water District #1 as at large members to the Planning Commission. Motion carried 3 to 0. The Commission agreed all water districts should have representation on the Planning Commission. Terms of the newly adopted Unified Development Ordinance was discussed. Commission Weixelman expressed concerns on

notification of the new ordinance. He would like to make sure the information is available to banks, realtors, lending institutions, and attorneys regarding the changes in the UDO to help prevent individuals purchasing tracts of land with the intention of building a house and discovering they are unable to be issued a permit. Gregg stated an individual's only option is to ask for a rezone which they may or may not be given. The Commission directed Robert Reece, administrator and Gregg to email this information to banks, realtors, lending institutions, and attorneys.

Leu Lowrey, public works director discussed the plans for the Excel Road and Elk Creek Road improvement project in Blue Township. The Commission directed Leu to proceed with preparation for this improvement project. Leu informed the Commission of a request from the Homeowners Association in Eagles Landing for the County to place a water meter, run a water line, and install a hydrant at the Commons area. This area was used as an access for the bank stabilization project recently done on Elk Creek. Part of the project was for reseeding the Commons area. This has been done, but as of yet, it is not known if the grass will grow in that area. Costs to the County for the meter, line, and hydrant would be between \$6,000 and \$7,000. The County paid \$125,000 out of pocket for the bank stabilization project. The Commission stated they could not justify supplying the Homeowners Association with a meter, water line, and hydrant. The County seeded the area as was agreed upon. The Commission agreed to wait until later this spring to see how the grass comes up and then if need be, readdress the issue.

Rich Seidler and Charlie Busch with McCullough Development met with the Commissioners to update them on the McCall Road development. Leu Lowrey, public works director and John Keller, county planner were also present. McCullough is still pursuing possibilities for the space previously intended for Menards. They and the City of Manhattan would like to proceed with the design engineering for McCall Road improvements. Seidler stated he had signatures of cooperation from the frontage owners allowing for the improvement. He stated there is enough right of way on the south side and the petitioners on the north side will give the right of way needed. The Commissioners agreed it is essential to get the engineering done and be ready for bid when the option is there. The design and engineering cost will be \$605,000. Seidler asked the County to participate in costs of this engineering. The Commission will discuss the issue later today.

Pat Weixelman moved and Corwin Seamans seconded to appoint John Dyer to

the Economic Development Board to fill the position previously held by Bart Stewart. Motion carried 3 to 0.

Commissioners reviewed and signed tax corrections. (Attachment #1)

The Commission will attend an Emergency Management meeting at the Sunflower Room Wednesday morning from 10:00 until Noon. Various representatives from Dickinson County will be there to discuss issues from the Chapman tornado.

March 10<sup>th</sup> at 7:30 P.M., the Commission will meet with Rural Water District #1 to discuss future water needs in the southwest part of the County.

Dustin Trego and Ruth Ensley met with the Commission to give a recap on the mini bus changes. The new schedule and routes have started. It was suggested to have the new routes and schedule announced on a couple of radio stations. The next meeting of the Health Transportation Needs Committee with the Commissioners will be March 23<sup>rd</sup> at 10:00. A representative from Riley County will be invited as well as someone from KDOT. Corwin Seamans moved and Pat Weixelman seconded to adopt the Pottawatomie County General Transportation Guidelines. Motion carried 3 to 0. (Copy on file in the Clerk's Office) Corwin Seamans moved and Pat Weixelman seconded to authorize Robert Reece, administrator to set suggested donation amounts for general transportation fees. Motion carried 3 to 0.

Leslie Campbell, health director, met with the Commissioners to review the grants used for various programs in her department. She will need to submit the requests for grant renewal in mid March. These grants are from 7/1/09 to 6/30/10. Corwin Seamans moved and Pat Weixelman seconded to approve the application for grants for the Health Department. Motion carried 3 to 0.

Corwin Seamans moved and Stan Hartwich seconded to adopt Resolution 2009-14 authorizing filing of application for a loan under the Kansas Water Pollution Control Revolving Fund. This is regarding the facility plan for the Blue Township Sewer District. Motion carried 3 to 0. (Attachment #2)

The Commissioners discussed with Leu Lowrey payment for the Blue Township Sewer expansion project.

Leu Lowrey, public works director and John Watt, county counselor, discussed with the Commissioners concerns of obtaining right of way needed for the WAM/SAG/MAN Trail. Based on the information the County has, it is still unclear if some of the land in question is county right of way or belongs to the railroad. The Commission will meet in a work session Wednesday morning at 9:00 with the WAM/SAG/MAN Trail committee to discuss the issue.

Corwin Seamans moved and Pat Weixelman seconded to appoint Fire District 5, 6, & 8 board members for 2009. Members appointed were: **John Best, Marylin Werring, Jeffrey Fleming, Robert Dickens & Jim Crawford for Fire District #5; Don Cassel, Dale Force, Levi Bailey, & Alan Loberg for Fire District #6; James B. Mulligan, Lee Abitz, Marvin Clark, Bob Blair, & Gary Robbins for Fire District #8.**

Corwin Seamans moved and Pat Weixelman seconded to allocate \$400 to the St. George Summer Ball Program. Allocation will be from the Special Parks and Recreation Fund. Motion carried 3 to 0.

Lois Schlegel, county appraiser, met with the Commissioners to explain the procedure for property tax payment under protest hearings and what constitutes refunds.

Robert Reece, county administrator, informed the Commission of a vacancy in the road/bridge department and that department's request to fill that position. As the County has established a freeze on refilling a position once vacated, the Commission did not approve filling the position at this time. Stan Hartwich asked Robert if he would speak to Leu to include the Commission in on the next training session with the grader operators so they can get a better understanding of the techniques used to maintain County roads and discuss road maintenance procedures that may minimize cost and improve public satisfaction.

The meeting was adjourned at 5:03.

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County Clerk

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Chairman

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Vice Chairman

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Member